

1 ISMAIL AMIN, ESQ. (NV Bar No. 9343)  
[iamin@aminlawgroup.com](mailto:iamin@aminlawgroup.com)  
2 **THE AMIN LAW GROUP NV, LTD.**  
3960 Howard Hughes Parkway, Suite 500  
3 Las Vegas, Nevada 89169  
Telephone: (702) 990-3583  
4 Facsimile: (702) 990-3501  
*Attorneys for Plaintiff, Universal Processing Services*  
5 *of Wisconsin, LLC d/b/a Newtek Merchant Services*

6 BRUCE J. ZABARAUSKAS, ESQ.  
[Bruce.Zabarauskas@tklaw.com](mailto:Bruce.Zabarauskas@tklaw.com)  
7 *Admitted Pro Hac Vice*  
**THOMPSON & KNIGHT LLP**  
8 707 Wilshire Blvd., Suite 4100  
Los Angeles, CA 90017  
9 Telephone: (310) 203-6902  
Facsimile: (310) 880-3105  
10 *Attorneys for Plaintiff, Universal Processing Services*  
11 *of Wisconsin, LLC d/b/a Newtek Merchant Services*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 \_\_\_\_\_ )  
15 UNIVERSAL PROCESSING SERVICES )  
OF WISCONSIN, LLC D/B/A/ NEWTEK )  
16 MERCHANT SOLUTIONS, )

17 Plaintiff, )

18 vs. )

19 SUNGAME CORP., FREEVI CORPORATION, )  
COMMANDER 3D, INC., NEIL CHANDRAN, )  
20 CHANDRAN HOLDING MEDIA, INC., THE )  
LOFT BY ANGELES FURNITURE )  
21 COLLECTION, LLC D/B/A THE LOFT, LLC. )  
SCORSETTI DESIGN, LLC, AND MARIA )  
22 SCORSETTI A/K/A ANGELES SCORSETTI )

23 Defendants. )  
\_\_\_\_\_ )

Case No. 2:16-cv-000074-JAD-GWF

**STIPULATION AND ORDER**  
**DIRECTING CLERK OF THE COURT**  
**TO RETURN DEPOSIT TO PLAINTIFF**

ECF No. 74

1           WHEREAS, on January 13, 2016, Universal Processing of Wisconsin LLC d/b/a Newtek  
2 Merchant Solutions (the “Plaintiff”) commenced the above-captioned action (the “Action”) before  
3 this Court against The Loft By Angeles Furniture Collection, LLC d/b/a The Loft, LLC, Scorsetti  
4 Design, LLC, and Maria Scorsetti, d/b/a Angeles Scorsetti (collectively, the “Scorsetti Defendants”),  
5 and Sungame Corp., Freevi Corporation, Commander 3D, Inc., Neil Chandran and Chandran Media  
6 Holding, Inc. (collectively, the “Chandran Defendants”);

7           WHEREAS, on March 10, 2016, each of the Defendants filed a motion (the “Security  
8 Motion”) for demand for security of costs, which had the effect of staying this action. [Dkt. Nos. 17,  
9 18];

10           WHEREAS, on March 24, 2016, this Court entered an order (the “Security Order”) approving  
11 a stipulation resolving the Security Motion. [Dkt. No. 21];

12           WHEREAS, pursuant to the Security Order, the Plaintiff deposited \$4,000 as security with the  
13 Clerk of the United States District Court for the District of Nevada [Dkt. No. 22];

14           WHEREAS, a copy of the Court’s Certificate of Deposit is annexed hereto as Exhibit A [Dkt.  
15 No. 22];

16           WHEREAS, pursuant to the Security Order, the Deposit shall remain with the Clerk of this  
17 Court until: (i) the filing of a stipulation signed by counsel for the Plaintiff and the Chandran  
18 Defendants and/or Scorsetti Defendants providing for the release of all or a portion of the Deposit  
19 with respect to the Sungame Defendants and/or Scorsetti Defendants; or (ii) entry of an Order of this  
20 Court;

21           WHEREAS, pursuant to a stipulation, dated August 15, 2016, which the parties are  
22 simultaneously filing with the Court, the parties consent to the above-captioned action being  
23

1 transferred to the United States District Court for the Eastern District of New York, Central Islip  
2 Division;

3 WHEREAS, the parties agree to the return of the Deposit to the Plaintiff pursuant to the terms  
4 of this stipulation;

5 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE  
6 UNDERSIGNED PARTIES as follows:

7 1. Upon court approval of this stipulation and the stipulation transferring venue of this  
8 action to the United States District Court for the Eastern District of New York, the Clerk of the Court  
9 is directed to return the Deposit to the Plaintiff by mailing a check in the amount of the Deposit  
10 (\$4,000) payable to Newtek Business Solutions to the following address: Newtek Merchant  
11 Solutions, Attn: Michael Schwartz, Esq., 198 Marcus Avenue, Suite 130, Lake Success, New York  
12 11042.

13 2. The Court shall retain jurisdiction for the purpose of enforcing this stipulation and  
14 order, and the return of the Deposit to the Plaintiff.

15 RESPECTFULLY SUBMITTED on this 15th day of August, 2016.

16 **THE AMIN LAW GROUP NV, LTD.**

**THOMPSON & KNIGHT LLP**

17 /s/ Ismail Amin  
18 ISMAIL AMIN, ESQ.  
19 [iamin@aminlawgroup.com](mailto:iamin@aminlawgroup.com)  
20 Nevada Bar No. 9343  
*Attorneys for Plaintiff, Universal Processing  
Services of Wisconsin, LLC d/b/a Newtek  
Merchant Services*

/s/ Bruce J. Zabarauskas  
BRUCE J. ZABARAUSKAS, ESQ.  
[Bruce.Zabarauskas@tklaw.com](mailto:Bruce.Zabarauskas@tklaw.com)  
California Bar No. 248601  
*Attorneys for Plaintiff, Universal Processing  
Services of Wisconsin, LLC d/b/a Newtek  
Merchant Services*

21 //

22 //

23 //

1 **A.M. SANTOS LAW, CHTD.**

2 /s/ Anthony Santos

3 Anthony Santos

4 [tony@amsantoslaw.com](mailto:tony@amsantoslaw.com)

5 Nevada Bar No. 11265

6 *Attorneys for Defendants,*

7 *Surgame Corp., Freevi Corporation,*

8 *Commander 3D, Inc., Neil Chandran,*

9 *and Chandran Holding Media, Inc.*

10 **SANTORO & WHITMIRE**

11 /s/ Jason Smith

12 Jason Smith

13 [jsmith@santoronevada.com](mailto:jsmith@santoronevada.com)

14 Nevada Bar No. 9691

15 *Attorneys for Defendants,*

16 *The Loft by Angeles Furniture Collection, LLC*

17 *d/b/a The Loft, LLC, Scorsetti Design, LLC,*

18 *and Maria Scorsetti a/k/a Angeles Scorsetti*

19 **ROSENFELD & KAPLAN, LLP**

20 /s/ Steven M. Kaplan

21 Steven M. Kaplan

22 [Steve@rosenfeldlaw.com](mailto:Steve@rosenfeldlaw.com)

23 New York Bar No. 1521210

*Attorneys for Defendants,*

*Surgame Corp., Freevi Corporation,*

*Commander 3D, Inc., Neil Chandran,*

*and Chandran Holding Media, Inc.*

24 **IT IS SO ORDERED.**

25   
**UNITED STATES DISTRICT JUDGE**

26 **Dated: August 16, 2016**

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